

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO

JOHN NOAKES

Plaintiff,

v.

CASE WESTERN RESERVE  
UNIVERSITY, ET AL

Defendants

Case No. **1:21-cv-01776**

Judge:

AFFIDAVIT OF DR. FIROUZ  
DANESHGARI

1. I am the 3rd Chairman of the Department of Urology at the University Hospitals Case Medical Center. I am also a Professor of Surgery/Urology in Case Western Reserve University School of Medicine. (I recently retired from the faculty of CWRU and am a candidate to be an *Emeritus* Professor.) I have conducted or participated in several clinical studies and have mentored over 100 post-doctoral and clinical fellows, medical students, residents and junior faculty.
2. I am familiar with the allegations surrounding John Noakes. (I am using his pseudonym to avoid potential embarrassment and damage to a student's reputation). I am aware that John Noakes is a student at the Case Western Reserve University School of Medicine. I have served as a mentor for John Noakes. I am aware that in fall 2020, John Noakes was accused of sexual misconduct by another student. CWRU investigated the matter and, following a hearing, John Noakes was cleared of all charges.
3. I am aware that certain CWRU officials were unhappy with the outcome. I am aware that they have engaged in a retaliatory campaign of intimidation and harassment against John Noakes as a result. I am aware that John Noakes submitted a complaint about the retaliation by CWRU faculty and administrators.

4. I am familiar with the fact that John Noakes, after he was cleared of charges, posted on a GroupMe group chat used by the Medical School, “All glory and honor to the Most High, who is my refuge and fortress. That’s all, thanks” and changed his name to “[John Noakes] (1-0).” I am aware that John Noakes has been subjected to investigations and disciplinary action by the Medical School’s Committee on Students (“COS”) as a result of that post. In my experience, this type of conduct would rarely if ever warrant review by the COS as it does not violate any CWRU policies or procedures. Instead, it appears that the COS and others at CWRU are using this post as pretext for retaliatory actions against John Noakes because he sought to defend himself in a Title IX process and criticized the CWRU Title IX process.
5. I am particularly troubled to learn that CWRU administrators told John Noakes to “watch himself,” tried to coerce him to take a year off, and threatened him if he pursued Title IX complaints against fellow students or retaliation complaints against administrators. Statements suggesting that students should just endure misconduct and not pursue remedies are highly inappropriate. Statements such as “You’re digging yourself a hole, honey” and “I can’t protect you” from CWRU faculty and administrators can only be interpreted as threats.
6. A review by the COS can have a significant adverse impact on the career of a medical student. By suggesting that John Noakes engaged in unprofessional conduct, the sanctions imposed by the COS are far from *de minimis*. While some may see a requirement that John Noakes undergo ‘coaching’ and counseling as not a big deal, in reality these actions by the COS may affect his ability to work with professors at the medical school and obtain recommendations for residency programs. These actions can fairly be described as “adverse actions.” The actions by the COS so far have likely already resulted in damage to John Noakes’ academic reputation and a harm to future employment prospects.

7. Future actions by the COS risk irreparable harm to John Noakes. The COS process risks damaging his chances to obtain a residency through the match program following medical school. This is likely to have a significant impact on his career.
8. The threat of being forced to appear before the COS is likely to deter CWRU students from complaining about the CWRU Title IX process, defending themselves in a Title IX process, or challenging retaliatory actions. Medical students are very concerned with maintaining good relations with professors and administrators in order to preserve the chance for placement in top residency programs. Few students are likely to risk doing anything that might result in a review by the COS, as such a review could result in adverse sanctions ranging from counseling to expulsion. This conclusion is supported by the fact that CWRU has not completed a full investigation into the allegations by John Noakes, as it suggests that CWRU does not take complaints of retaliation seriously.
9. If John Noakes waited until he was expelled or suspended by the COS it would be too late. John Noakes would have lost a year or more of time towards his medical degree and having to explain a gap in his medical school education record will inevitably lead to unpleasant and damaging questions from future employers and in the residency match system.

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this 13th day of September 2021.

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DR. FIROUZ DANESHGARI

7. Future actions by the COS risk irreparable harm to John Noakes. The COS process risks damaging his chances to obtain a residency through the match program following medical school. This is likely to have a significant impact on his career.
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9. If John Noakes waited until he was expelled or suspended by the COS it would be too late. John Noakes would have lost a year or more of time towards his medical degree and having to explain a gap in his medical school education record will inevitably lead to unpleasant and damaging questions from future employers and in the residency match system.

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